Case 09-25542 Doc 1 Filed 07/15/09 Entered 07/15/09 11:13:29 Desc Main

Page 1 of 10 Official Form 1 (1/08) Document **United States Bankruptcy Court Voluntary Petition** NORTHERN DISTRICT OF ILLINOIS Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse)(Last, First, Middle) Kingston Grill, LLC, Corporation All Other Names used by the Debtor in the last 8 years All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): NONE Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN Last four digits of Soc. Sec. or Indvidual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): 26-2717668 (if more than one, state all): Street Address of Debtor (No. & Street, City, and State): Street Address of Joint Debtor (No. & Street, City, and State): 1164 Dodge Avenue Evanston IL ZIPCODE ZIPCODE 60202-1007 County of Residence or of the County of Residence or of the Principal Place of Business: Principal Place of Business: Cook Mailing Address of Joint Debtor Mailing Address of Debtor (if different from street address) (if different from street address) SAME ZIPCODE ZIPCODE Location of Principal Assets of Business Debtor ZIPCODE (if different from street address above): **Nature of Business** Chapter of Bankruptcy Code Under Which Type of Debtor (Form of organization) (Check one box.) the Petition is Filed (Check one box) (Check one box.) Health Care Business Chapter 7 Chapter 15 Petition for Recognition ☐ Individual (includes Joint Debtors) Chapter 9 of a Foreign Main Proceeding Single Asset Real Estate as defined See Exhibit D on page 2 of this form. X Chapter 11 in 11 U.S.C. § 101 (51B) ☐ Chapter 15 Petition for Recognition Corporation (includes LLC and LLP) Chapter 12 Railroad of a Foreign Nonmain Proceeding Chapter 13 Partnership Stockbroker Other (if debtor is not one of the above Nature of Debts (Check one box) Commodity Broker entities, check this box and state type of Debts are primarily consumer debts, defined Debts are primarily entity below Clearing Bank in 11 U.S.C. § 101(8) as "incurred by an business debts. Other Restaurant individual primarily for a personal, family, or household purpose" Tax-Exempt Entity Chapter 11 Debtors: (Check box, if applicable.) Check one box: Debtor is a tax-exempt organization Debtor is a small business as defined in 11 U.S.C. § 101(51D). under Title 26 of the United States Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Code (the Internal Revenue Code) Filing Fee (Check one box) Check if: Debtor's aggregate noncontingent liquidated debts (excluding debts owed Full Filing Fee attached to insiders or affiliates) are less than \$2,190,000. Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. Check all applicable boxes: A plan is being filed with this petition Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach Acceptances of the plan were solicited prepetition from one or more signed application for the court's consideration. See Offi cial Form 3B. classes of creditors, in accordance with 11 U.S.C. § 1126(b). THIS SPACE IS FOR COURT USE ONLY Statistical/Administrative Information Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors Estimated Number of Creditors 25.001- \boxtimes 1,000-5,001-10,001-50,001-100.000 50-99 100-199 200-999 Over 1-49 50.000 5,000 10.000 25.000 100 000 Estimated Assets S0 to \$100,001 to \$50,001 to \$500,001 \$1,000,001 \$10,000,001 More than \$50,000,001 \$100,000,001 \$500,000,001 \$50,000 \$100,000 \$500,000 to \$10 to \$500 to \$1 billion \$1 billion to \$1 to \$50 to \$100 million million million million Estimated Liabilities \$500,001 \$0 to \$50,001 to \$100,001 to \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$500,000,001 \$100,000 \$500,000 to \$10 to \$50 to \$100 to \$500 \$50,000 to \$1 to \$1 billion \$1 billion million million million million

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Case 09-25542 Doc 1 Filed 07/15/09 Entered 07/15/09 11:13:29 Desc Main

Official Form 1 (1/08) Document Page 2 of 10 FORM B1, Page 2

Voluntary Petition	Name of Debtor(s): Kingston Grill, LLC,		
(This page must be completed and filed in every case)	a Corporation		
All Prior Bankruptcy Cases Filed Within Last 8 Ye	ears (If more than two, attach additional	sheet)	
Location Where Filed: NONE	Case Number:	Date Filed:	
Location Where Filed:	Case Number:	Date Filed:	
Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of	this Debtor (If more than one, attac	ch additional sheet)	
Name of Debtor:	Case Number:	Date Filed:	
NONE District:	Relationship:	Judge:	
District.	relationship.	Judge.	
Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under Chapter 11) Exhibit A is attached and made a part of this petition	(To be completed if de whose debts are prima I, the attorney for the petitioner named in the for have informed the petitioner that [he or she] may or 13 of title 11, United States Code, and have each such chapter. I further certify that I have or required by 11 U.S.C. §342(b).	rily consumer debts) oregoing petition, declare that I ay proceed under chapter 7, 11, 12 explained the relief available under	
	Signature of Attorney for Debtor(s)	Date	
Does the debtor own or have possession of any property that poses or is alleg or safety? Yes, and exhibit C is attached and made a part of this petition. No (To be completed by every individual debtor. If a joint petition is filed, each	Exhibit D		
Exhibit D completed and signed by the debtor is attached and made p If this is a joint petition: Exhibit D also completed and signed by the joint debtor is attached a	part of this petition.	. ,	
	Regarding the Debtor - Venue		
Debtor has been domiciled or has had a residence, principal place of bus preceding the date of this petition or for a longer part of such 180 days the There is a bankruptcy case concerning debtor's affiliate, general partner, Debtor is a debtor in a foreign proceeding and has its principal place of business or assets in the United States but is a defendant the interests of the parties will be served in regard to the relief sought in the served in regard to the relie	nan in any other District. or partnership pending in this District. ousiness or principal assets in the United States in the united S	his District, or has no	
	Resides as a Tenant of Residential Property		
Check all a Landlord has a judgment against the debtor for possession of debto	pplicable boxes.) r's residence. (If box checked, complete the follow	ing.)	
	(Name of landlord that obtained judgm	ent)	
	(Address of landlord)		
Debtor claims that under applicable nonbankruptcy law, there are entire monetary default that gave rise to the judgment for possession	-		
Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.			
Debtor certifies that he/she has served the Landlord with this certifies	ication. (11 U.S.C. § 362(l)).		

Case 09-25542 Doc 1 Filed 07/15/09 Entered 07/15/09 11:13:29 Desc Main Official Form 1 (1/08) Document Page 3 of 10 FORM B1, Page 3 Name of Debtor(s): **Voluntary Petition** Kingston Grill, LLC, (This page must be completed and filed in every case) a Corporation **Signatures** Signature(s) of Debtor(s) (Individual/Joint) Signature of a Foreign Representative I declare under penalty of perjury that the information provided in this I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts petition is true and correct, that I am the foreign representative of a debtor and has chosen to file under chapter 7] I am aware that I may proceed in a foreign proceeding, and that I am authorized to file this petition. under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to (Check only one box.) proceed under chapter 7. I request relief in accordance with chapter 15 of title 11, United States [If no attorney represents me and no bankruptcy petition preparer Code. Certified copies of the documents required by 11 U.S.C. § 1515 are signs the petition] I have obtained and read the notice required by attached. 11 U.S.C. §342(b) Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the I request relief in accordance with the chapter of title 11, United States chapter of title 11 specified in this petition. A certified copy of the order Code, specified in this petition. granting recognition of the foreign main proceeding is attached. Signature of Debtor (Signature of Foreign Representative) Signature of Joint Debtor (Printed name of Foreign Representative) Telephone Number (if not represented by attorney) 07/15/2009 (Date) Signature of Attorney* Signature of Non-Attorney Bankruptcy Petition Preparer X /s/ Marlin E. Kirby I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for Signature of Attorney for Debtor(s) compensation and have provided the debtor with a copy of this document Marlin E. Kirby 6203394 and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by Printed Name of Attorney for Debtor(s) Law Office of Marlin E. Kirby bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 675 West Lake Street 19 is attached. Suite 136 Oak Park IL 60301-1473 Printed Name and title, if any, of Bankruptcy Petition Preparer 708-848-0510 Telephone Number Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, *07/15/2009* responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect Address Signature of Debtor (Corporation/Partnership) I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above. The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition. Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is X / s / / s / James Pascal not an individual.

Signature of Authorized Individual

/s/ James Pascal

Printed Name of Authorized Individual

President

Title of Authorized Individual

07/15/2009

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

B4 (Official Form 4) (2005)e 09-25542 Doc 1 Filed 07/15/09 Entered 07/15/09 11:13:29 Desc Main

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re	Kingston Grill,	LLC		(Case No.	
	a Corporation				Chapter	11
			,	,		
		Debtor(s)				

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m).

Name of Creditor and Complete	Name, Telephone Number and	Nature of Claim	Indicate if Claim	Amount of Claim
Mailing Address Including	Complete Mailing Address,	(Trade Debt,	is Contingent,	(If Secured Also
Zip Code	Including Zip Code, of Employee,	Bank Loan,	Unliquidated,	State Value of
	Agent, or Department of Creditor	Government	Disputed, or	Security)
	Familiar with Claim	Contract, etc.)	Subject to	
	Who May Be Contacted		Setoff	
1	Phone:	State income	taxes	\$ 13,228.07
Illinois Department of Revenue	Illinois Department of Revenue	•		
101 West Jefferson Street	P.O. Box 19006			
P.O. Box 19015	Springfield IL 62794-9006			
Springfield IL 62794-9015				
2	Phone:	Arrearage on .	Executory	\$ 4,278.00
Indiana Insurance	Indiana Insurance	Contract		
6281 Tri-Ridge Blvd.	6281 Tri-Ridge Blvd.			
Loveland OH 45140-8318	Loveland OH 45140-8318			
3	Phone:	Utility Bills		\$ 2,087.30
Nicor Gas	Nicor Gas			
P. O. Box 2020	P. O. Box 2020			
Aurora IL 60507-2020	Aurora IL 60507-2020			
4	Phone:	Utility Bills		\$ 1,278.30
ComEd Company	ComEd Company	CCITICY BILLS		7 1/2/0/30
	Attn: Revenue Management Dept			
2100 Swift Drive	2100 Swift Drive			
Oak Brook IL 60523-1559	Oak Brook IL 60523-1559			
5	Phone:	Utility Bills		\$ 1,248.09
AT&T	AT&T			
P.O. Box 8100	P.O. Box 8100			
Aurora IL 60507-8100	Aurora IL 60507-8100			

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Name of Creditor and Complete Mailing Address Including Zip Code	Name, Telephone Number and Complete Mailing Address, Including Zip Code, of Employee, Agent, or Department of Creditor Familiar with Claim Who May Be Contacted	Nature of Claim (Trade Debt, Bank Loan, Government Contract, etc.)	Indicate if Claim is Contingent, Unliquidated, Disputed, or Subject to Setoff	Amount of Claim (If Secured Also State Value of Security)
6	Phone:	Arrearage on 1	Executory	\$ 749.00
MSM	MSM	Contract		
P.O. Box 5065	P.O. Box 5065			
Buffalo Grove IL 60089-5065	Buffalo Grove IL 60089-5065			
7	Phone:	Arrearage on 1	Executory	\$ 694.63
Idearc Media LLC	Idearc Media LLC	Contract		
P.O. Box 619009	P.O. Box 619009			
Dallas TX 75261-9009	Dallas TX 75261-9009			
8	Phone:	Arrearage on 1	Executory	\$ 630.00
University Directories	University Directories	Contract	_	
P.O. Box 8830	P.O. Box 8830			
Chapel Hill NC 27515	Chapel Hill NC 27515			
9	Phone:	Arrearage on 1	Executory	\$ 599.00
Receivable Mgmt. Services	Receivable Mgmt. Services	Contract		
305 Fellowship Road, Suite 10	0305 Fellowship Road, Suite 10	ф		
P.O. Box 5471	P.O. Box 5471			
Mount Laurel NJ 08054	Mount Laurel NJ 08054			
10	Phone:	Utility Bills		\$ 210.80
Dish Network	Dish Network			
Dept. 0063	Dept. 0063			
Palatine IL 60055-0063	Palatine IL 60055-0063			
11	Phone:	Arrearage on 1	Executory	\$ 153.12
Groot Industries, Inc.	Groot Industries, Inc.	Contract	_	
P.O. Box 92317	P.O. Box 92317			
Elk Grove Villag IL 60009- 2317	Elk Grove Villag IL 60009- 2317			
12	Phone:	Arrearage on 1	Executory	\$ 153.00
Clipper Magazine	Clipper Magazine	Contract		
3708 Hempland Road	3708 Hempland Road			
P.O. Box 610	P.O. Box 610			
1		1		I

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Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION

I, <u>/s/ James Pasca1</u>, <u>President</u> of the <u>Corporation</u> named as debtor in this case, declare under penalty of perjury that I have read the foregoing List of Creditors Holding Twenty Largest Unsecured Claims and that they are true and correct to the best of my knowledge, information and belief.

Date: <u>7/15/2009</u> Signature <u>/s/ James Pasca1</u>
Name: /s/ James Pasca1
Title: <u>President</u>

Case 09-25542 Doc 1 Filed 07/15/09 Entered 07/15/09 11:13:29 Desc Main

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re Kingston Grill, LLC, a Corporati	
	Chapter 11
	/ Debtor
Attorney for Debtor: Marlin E. Kirby	
COVER SHE	EET FOR LIST OF CREDITORS
I hereby certify under penalty of perjury that the is true, correct and complete to the best of my	ne attached list of creditors, which consists of pages, v knowledge.
Date: 07/15/2009	/s/ /s/ James Pascal Debtor
/s/ Marlin E. Kirby Marlin E. Kirby	
Attorney for the debtor(s)	
675 West Lake Street	

Suite 136

Oak Park, IL 60301-1473

Case 09-25542 Doc 1 Filed 07/15/09 Entered 07/15/09 11:13:29 Desc Main Page 8 of 10

P.O. Box 8100

Aurora, IL 60507-8100

Clipper Magazine 3708 Hempland Road P.O. Box 610 Mountville, PA 17554

ComEd Company
Attn: Revenue Management Dept
2100 Swift Drive
Oak Brook, IL 60523-1559

Dish Network
Dept. 0063
Palatine, IL 60055-0063

Groot Industries, Inc.
P.O. Box 92317
Elk Grove Villag, IL 60009-2317

Idearc Media LLC P.O. Box 619009 Dallas, TX 75261-9009

Illinois Department of Revenue P.O. Box 19006
Springfield, IL 62794-9006

Illinois Department of Revenue 101 West Jefferson Street P.O. Box 19015 Springfield, IL 62794-9015

Indiana Insurance 6281 Tri-Ridge Blvd. Loveland, OH 45140-8318

Kingston Grill, LLC 1164 Dodge Avenue Evanston, IL 60202-1007

MSM P.O. Box 5065 Buffalo Grove, IL 60089-5065

Nicor Gas P. O. Box 2020 Aurora, IL 60507-2020

Receivable Mgmt. Services 305 Fellowship Road, Suite 100 P.O. Box 5471 Mount Laurel, NJ 08054

University Directories P.O. Box 8830 Chapel Hill, NC 27515

UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re	Kingston Grill, LLC		Case No.	
			Chapter:	11
		/Debtor(s)		
Attorn	ey For Debtor: <i>Marlin E. Kirby</i>			

LIST OF CREDITORS

T			
CREDITOR	CLAIM AND SECURITY	C D S U	CLAIM AMOUNT
AT&T P.O. Box 8100 Aurora, IL 60507-8100	Utility Bills		\$ 1,248.09
Clipper Magazine 3708 Hempland Road P.O. Box 610 Mountville, PA 17554	Arrearage on Executory Contract		\$ 153.00
ComEd Company Attn: Revenue Management Dept 2100 Swift Drive Oak Brook, IL 60523-1559	Utility Bills		\$ 1,278.30
Dish Network Dept. 0063 Palatine, IL 60055-0063	Utility Bills		\$ 210.80
Groot Industries, Inc. P.O. Box 92317 Elk Grove Villag, IL 60009-2317	Arrearage on Executory Contract		\$ 153.12
Idearc Media LLC P.O. Box 619009 Dallas, TX 75261-9009	Arrearage on Executory Contract		\$ 694.63
Illinois Department of Revenue 101 West Jefferson Street P.O. Box 19015 Springfield, IL 62794-9015	Debts to Government - §507(a)(8) State income taxes		\$ 13,228.07
Indiana Insurance 6281 Tri-Ridge Blvd. Loveland, OH 45140-8318	Arrearage on Executory Contract		\$ 4,278.00
	AT&T P.O. Box 8100 Aurora, IL 60507-8100 Clipper Magazine 3708 Hempland Road P.O. Box 610 Mountville, PA 17554 ComEd Company Attn: Revenue Management Dept 2100 Swift Drive Oak Brook, IL 60523-1559 Dish Network Dept. 0063 Palatine, IL 60055-0063 Groot Industries, Inc. P.O. Box 92317 Elk Grove Villag, IL 60009-2317 Idearc Media LLC P.O. Box 619009 Dallas, TX 75261-9009 Illinois Department of Revenue 101 West Jefferson Street P.O. Box 19015 Springfield, IL 62794-9015 Indiana Insurance 6281 Tri-Ridge Blvd.	AT&T P.O. Box 8100 Aurora, IL 60507-8100 Clipper Magazine 3708 Hempland Road P.O. Box 610 Mountville, PA 17554 ComEd Company Attn: Revenue Management Dept 2100 Swift Drive Oak Brook, IL 60523-1559 Dish Network Dept. 0063 Palatine, IL 60055-0063 Groot Industries, Inc. P.O. Box 92317 Elk Grove Villag, IL 60009-2317 Idearc Media LLC P.O. Box 619009 Dallas, TX 75261-9009 Tilinois Department of Revenue 101 West Jefferson Street P.O. Box 19015 Springfield, IL 62794-9015 Indiana Insurance 6281 Tri-Ridge Blvd.	CREDITOR CLAIM AND SECURITY D S Utility Bills Utility Bills Utility Bills Clipper Magazine 3708 Hempland Road P.O. Box 610 Mountville, PA 17554 ComEd Company Attn: Revenue Management Dept 2100 Swift Drive Oak Brook, IL 60523-1559 Dish Network Dept. 0063 Palatine, IL 60055-0063 Groot Industries, Inc. P.O. Box 92317 Elk Grove Villag, IL 60009-2317 Idearc Media LLC P.O. Box 619009 Dallas, TX 75261-9009 Illinois Department of Revenue 101 West Jefferson Street P.O. Box 19015 Springfield, IL 62794-9015 Indiana Insurance 6281 Tri-Ridge Blvd.

West Group, Rochester, No. 09-25542 Doc 1 Filed 07/15/09 Entered 07/15/09 11:13:29 Desc Main

Document Page 10 of 10
LIST OF CREDITORS

(Continuation Sheet)

(Continuation Sheet)					
#	CREDITOR	CLAIM AND SECURITY	C D S U	CLAIM AMOUNT	
9	MSM P.O. Box 5065 Buffalo Grove, IL 60089-5065	Arrearage on Executory Contract		\$ 749.00	
10	Nicor Gas P. O. Box 2020 Aurora, IL 60507-2020	Utility Bills		\$ 2,087.30	
11	Receivable Mgmt. Services 305 Fellowship Road, Suite 100 P.O. Box 5471 Mount Laurel, NJ 08054	Arrearage on Executory Contract Re: Dunn & Bradstreet		\$ 599.00	
12	University Directories P.O. Box 8830 Chapel Hill, NC 27515	Arrearage on Executory Contract		\$ 630.00	